

# **LEGISLATIVE TASK FORCE**

## **PROPOSALS FOR METRO CHARTER**

1. The legislative body shall be the council. (Passed 3 - 0 on 02/17/10)
2. The mayor and council shall be elected to four-year terms. (Passed 3 - 0 on 02/17/10)
3. The mayor and council shall be limited to two consecutive four-year terms. (Passed 3 - 0 on 02/17/10)
4. The council, as part-time positions, will not be eligible for a pension by reason of their service as council members. (Passed 3 - 0 on 02/17/10)
5. The government shall be known as “The Metropolitan Government of Memphis and Shelby County.” (Passed 3 - 0 on 02/17/10)
6. The council shall hold meetings on the first and third Tuesday of each month, unless a majority of the council votes to change a meeting. (Passed 3 - 0 on 02/17/10)
7. The council will elect a chair for a term of one year. (Passed 2 - 0 on 04/05/10)
8. Special meetings may be called by the mayor or by a majority of the council upon 48 hours written notice to the council and public. (Passed 3 - 0 on 02/17/10)
9. The council shall exercise its legislative authority through ordinance. Three readings are required. (Passed 3 - 0 on 02/17/10)
10. The three members of the urban council must be council members and reside within the urban services district. They shall be elected by a majority of the council. The sole function of the urban council shall be to levy a property tax for urban services. (Passed 2 - 0 on 04/05/10)

11. Each council member must reside in the district for which he or she is running at the time of qualifying for election and throughout the term. (Passed 3 - 0 on 02/17/10)

12. The council shall have the following powers:

- a. levy taxes
- b. make appropriations
- c. borrow money
- d. purchase, own or lease real or personal property
- e. fund public schools
- f. make regulations on general health
- g. approve appointments of CAO and directors
- h. approve the number of appointed positions not specified in the charter
- i. approve all city contracts valued over an amount to be determined by the Council
- j. hear land use/zoning applications
- k. approve or reject all land use/zoning ordinances
- l. serve as appeals board for the Land Use Control Board as applicable
- m. redistricting
- n. approve MLG&W rates

(Passed 2 - 0 on 04/05/10)

13. No one may be qualified to run for office that is delinquent on the filing deadline in the payment of metro taxes owed by the individual. (Passed 2 - 0 on 04/05/10)

14. Must live within metro for at least one year before qualified to run. (Passed 2 - 1 on 02/17/10)
15. The first election shall be in October of 2011. The first term shall begin on January 1, 2012. (Passed 3 - 0 on 02/17/10)
16. Vacancies on the council shall be filled by a majority vote of the council to serve the remainder of the term. The majority is defined as those present and voting. If the remaining term is over two years, the council shall work with the election commission to place the position on the next available ballot. (Passed 2 - 0 on 04/05/10)
17. To be elected, a candidate must receive over 50% of the vote. If no one receives a majority, a run-off shall be held 30 days later between the top two vote getters. (Passed 3 - 0 on 02/17/10)
18. In the event the Office of Mayor becomes vacant, the City Council Chair who would have the title of Mayor Pro Tem, shall serve up to 180 days if there is a general or municipal election scheduled election to occur within that 180 day period. If there is no election scheduled, then a special election shall be held within 90 days of the vacancy. (Passed 2 - 0 on 04/05/10)
19. The mayor shall have the power to veto council legislative action. A 2/3 majority of the council is needed to override a veto of the mayor. (Passed 2 - 0 on 04/05/10)
20. The elections shall be non-partisan. (Passed 2 - 0 on 04/05/10)
21. The minimum age for council and for mayor shall be the minimum age to vote. (Passed 2 - 0 on 04/05/10)

22. The council and mayor shall not hold any other elected governmental position.

(Passed 2 - 0 on 04/05/10)

23. The compensation for council will be the amount paid to the current Shelby County

Commission. The salary shall be reviewed every 10 years by charter review board.

The mayor's salary for the first term shall be [\$174,000 – one vote; \$160,000 – one vote.] The Council shall have authority to set the mayor's salary and benefit

package for the next term. (Passed 2 - 0 on 04/05/10, except for salary amount)

24. The Council has the authority to adopt rules of procedure. (Passed 2 - 0 on

04/05/10)

25. The Council has the authority to employ and terminate council staff, including the

council clerk. (Passed 2 - 0 on 04/05/10)

\*\* To Be Decided:

a. Size of Council

b. Districts

**Possible Additions:**

Add to Paragraph 13:

- o. adopt metro budget
- p. fix metro tax rates
- q. may obtain an annual independent audit
- r. power to grant franchises, none to exceed 30 years
- s. approval of sale of real property
- t. issue bonds and notes and other evidences of indebtedness
- u. establish a pension and retirement system
- v. exercise all other authority of a legislative nature
- w. all other powers of the metro government, or by necessary implication, vested in another official

Add as #26 All courts of Shelby County shall take judicial notice of the metro charter and ordinances.

Add as #27 Courts should liberally construe this charter so as to grant the metro government all powers necessary and convenient for the conduct of its affairs.